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PATENT APPLICATION

Docket No: 10209.56

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------------------------|---|----------|
| In re application of |) | |
| |) | |
| Claude Jarakae Jensen, et. al |) | |
| |) | |
| Serial No.: |) | |
| 09/839,433 |) | |
| |) | |
| Filed: |) | Art Unit |
| April 20, 2001 |) | 1616 |
| |) | |
| For: |) | |
| MORINDA CITRIFOLIA ENHANCED |) | |
| LIP TREATMENT |) | |
| |) | |
| Examiner: |) | |
| Sharmila S. Gollamudi |) | |

AFFIDAVIT UNDER 37 C.F.R. §1.131

I Claude Jarakae Jensen declare:

1. That I am an inventor of the subject matter in the above-identified patent application and that the invention was reduced to practice prior to the first date of publication of the content published at <http://www.noni-now.com> and prior to the first date of publication of the content cited as Morinda Inc. lip balm, both references cited by the Examiner in the Office Action dated October 20, 2005.
2. The products sold and referenced by Noni-Now and Morinda Inc. are products manufactured by the Applicant.

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3. That the invention disclosed and claimed in the above-referenced patent application was conceived and reduced to practice prior to the Noni-Now and Morinda Inc. products being manufactured and sold by Morinda, Inc. or by Noni-Now.


4. That all statements made of our own knowledge are true and all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

DATED this 17th day of January, 2006

Claude Jarakae Jensen 17 Jan 2006
Claude Jarakae Jensen, Declarant

State of Utah)
) ss
County of Salt Lake)
 UTAH

Before me personally appeared Claudio Jarakae Jensen who acknowledged the foregoing instrument to be a free act and deed and also represented that he is authorized to execute the same this 17th day of January in the year 2006.

06. 
Notary Public

My Commission Expires:

June 10, 2008

